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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE
7 WESTERN DISTRICT OF WASHINGTON

8 JOSHUA SUAREZ,

9 Plaintiff,

10 v.

11 MICHAEL J. ASTRUE,
12 Commissioner of Social Security,

13 Defendant.

Civil No. 3:09-CV-5084-FDB-JRC

ORDER FOR REMAND

14 Based on the stipulation of the parties, it is hereby ORDERED that the above captioned
15 case be reversed and remanded for further administrative proceedings.

16 Upon remand, the Administrative Law Judge will be directed to update the record
17 regarding the claimant's impairments; hold a de novo hearing; determine if the claimant's
18 employment at the Skookum Educational Program was a sheltered workshop and if his work
19 there constituted substantial gainful activity; re- evaluate all medical source opinions in the
20 record and provide rationale for any opinion that is rejected in accordance with Social Security
21 Rulings 96-2p and 96-5p; consult a medical expert to assist in determining the severity of the
22 claimant's mental impairment, specifically considering the "C" criteria; and obtain supplemental
23 vocational expert testimony to assist in determining how the claimant's limitations affect his
24 ability to perform work related activities at steps 4 and 5 of the sequential evaluation process.
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1 This remand is made pursuant to sentence four of 42 U.S.C. §§ 405(g), 1383(c)(3).
2 Reasonable attorney fees will be awarded based on a petition filed under the Equal Access to
3 Justice Act, 28 U.S.C. § 2412(d).

4 DATED this 6th day of August, 2009.

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8 FRANKLIN D. BURGESS
9 UNITED STATES DISTRICT JUDGE
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11 Recommended for Entry:

12 s/ J. Richard Creatura
13 UNITED STATES MAGISTRATE JUDGE
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15 Presented by:

16 s/ Terrye E. Shea
17 TERRY E. SHEA
18 Special Assistant United States Attorney
19 Office of the General Counsel
20 701 Fifth Ave, Ste 2900, M/S 901
21 Seattle, WA 98104
22 (206) 615-2143
23 Terrye.Shea@ssa.gov
24
25
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